

THIRD CONFERENCE OF AFRICAN NATIONAL HUMAN RIGHTS
INSTITUTIONS HELD IN LOME - TOGO
14TH - 16TH MARCH 2001

LOME DECLARATION

Participants in the third Conference of National African Institutions for the promotion and protection of Human Rights held in Lome from 14 to 16 March, 2001 under the auspices of the National Commission of Human Rights of Togo in collaboration with the United Nations Office of the High Commissioner for Human Rights (OHCHR) and the African Co-ordinating Committee of National Human Rights Institutions;

Re-affirming their attachment to the values enshrined in the Universal Declaration of Human Rights, International Covenants on Civil and Political Rights, Social, Economic and Cultural Rights, the African Charter on Human and People's Rights and the various International Instruments concerning Human Rights to which their States have subscribed and adhered;

Recalling the need for all the National Institutions to respect and function in conformity with the Paris Principles as adopted by the United Nations General Assembly in its resolution 48/134 of 20 December, 1993;

Welcoming the Commitment of the Office of the United Nations High Commissioner for Human Rights to include actions in favour of National Institutions among its priorities;

Conscious of the fact that the inadequacy of democracy has repercussions on the human rights situation in Africa with consequences such as armed conflicts, flows of refugees, displaced people, worsening poverty and misery;

Recalling that the effective promotion of and respect for human rights and fundamental freedoms require that States ratify the United Nations Instruments concerning human rights and forward, periodically, in conformity with these instruments, reports to the respective Committees;

Based on the attachment of the United Nations to education in the field of human rights which was reflected in the Declaration of the United Nations Decade for Education on Human Rights (Res.1993/56 of 9 March 1993), which recommends that knowledge of both the theoretical and practical dimensions of human rights should be a priority objective of education policies at all levels;

Profoundly indignant that despite efforts aimed at eradicating the new forms of racism, racial discrimination, xenophobia, intolerance and slavery, these still remain common in political, civil, public opinion and in society at large;

Considering that in order to eradicate this scourge, the United Nations General Assembly decided to convene for the year 2001 a World Conference against Racism, Xenophobia, Racial Discrimination and Related Intolerance;

Aware of the fact that despite the regulatory and legislative measures taken to protect human rights, we witness each day, massive human rights abuses and attempts by the perpetrators of these abuses to escape from justice leading to impunity, which causes numerous forms of frustration;

Recalling the declaration on the rights and responsibilities of individuals, groups and organs of society to promote and protect human rights and the obligation for States to take measures in order to facilitate the work of Human Rights Defenders;

Conscious that the latter are the target of threats, intimidation and other forms of poor treatment on the continent and elsewhere;

Noting with deep concern the increasing and worsening misery, poverty and risks relating to serious threat posed by pandemics such as HIV/AIDS;

Emphasising in view of the increasing challenges presented by HIV/AIDS, the need for intensified efforts to ensure universal respect for and observance of Human Rights and Fundamental Freedom for all, to reduce vulnerability to HIV/AIDS and to prevent HIV/AIDS related discrimination and stigma;

Considering that the participation of women in public life, the implementation of a policy of non-discrimination against women, the prohibition of all forms of violence perpetrated against women, contribute to efforts for the attainment of sustainable and equitable development;

Considering that the current situation of women world-wide is far from this ideal;

Noting with deep concern that in several countries, the situation of children remains critical on account of several factors including their exploitation for commercial and sexual purposes, their trafficking, and sale, their enlistment in armed conflicts and convinced that as a matter of utmost urgency effective action should be taken at the national and international levels;

Taking note of the Declarations of Yaounde (February 1996) and Durban (July 1998);

The third Conference of National African Institutions adopts the following recommendations:

I. On Ratification of the International Instruments on Human Rights:

Encourage African States to observe the international instruments on human rights and to do their utmost to uphold their obligations relating to the presentation of the reports emanating therefrom;

II. On the Independence of National Institutions:

1. Encourage the creation of National Institutions in African States where they do not yet exist and the strengthening of the operational capacities of the existing ones based on internationally accepted standards;

2. Support the initiative of the International Co-ordinating Committee to provide the National Institutions with clear statutes, either constitutionally or legislatively in conformity with the Paris Principles;

3. Urge African Governments to provide their National Institutions with adequate human and financial resources and guarantee their independence as per General Assembly Resolution 48/134;

III. On Co-operation between National Institutions, the United Nations High Commissioner for Human Rights and Human Rights NGOs:

1. Express their satisfaction to the High Commissioner for her increased attention to the harmonious functioning of National Institutions and encourage her to continue her efforts in order to sign co-operation programmes which are duly accredited by the International Co-ordination Committee of National Institutions;

2. Commend the support provided by the United Nations High Commissioner for Human Rights to the organization of regional and international meetings and to the international and regional meetings of the International Co-ordinating Committee;

3. Urge the Chairman of the African Co-ordinating Committee to strive towards the strengthening of co-operation among African Institutions and their effectiveness and credibility in conformity with international standards;

4. Support the strengthening of co-operation among National Institutions and Human Rights NGOs;

IV. On Social, Economic and Cultural Rights:

Note the indivisibility and interdependence of civil, political, social, economic and cultural rights:

1. Encourage National Institutions to strive further towards the strengthening of fragile Social, Economic and Cultural Rights;

2. Invite National Institutions to intensify their human rights education activities in their countries;

V. On Women's and Children's Rights:

1. Urge National Institutions to work in concert with States and NGOs in order to combat the perverse phenomena of the trafficking and sale of children, enlistment of children in armed conflicts, exploitation of children for commercial and sexual purposes;

2. Encourage African States to reinforce the role of women in political or civil life: access to posts of responsibility and to combat all forms of discrimination against them;

3. Encourage National Institutions to have a pluralist composition as called for by the Paris Principles;

4. National Institutions should develop programmes for fighting racial discrimination;

VI. On HIV/AIDS, Human Rights and Development:

Urge National Institutions, in consultation with relevant partners, to:

1. Ensure that national laws, policies and practices respect human rights in the context of HIV/AIDS;

2. Promote effective programmes for prevention of HIV/AIDS;

3. Ensure effective programmes for care and support for persons infected and affected by HIV/AIDS; including through improved and equitable access to safe and effective medication for the treatment of HIV and HIV/AIDS related illnesses;

4. Work with the Joint United Nations Programme on HIV/AIDS (UNAIDS) and OHCHR to strengthen their capacity to deal with HIV/AIDS;
5. Intensify research for a cure of AIDS;
6. Have HIV/AIDS on the standing agenda for the fourth Conference;

VII. On the Fight against racism, racial discrimination, xenophobia and related intolerance:

1. Condemn all forms of racism, racial discrimination, xenophobia and related intolerance;
2. Urge States to take the necessary measures to eradicate this phenomenon which is inconsistent with the spirit of the Universal Declaration of Human Rights and which retards African Integration;
3. Lend their support to the Conference on racial discrimination scheduled to take place in South Africa this year;
4. Welcome their participation in the Conference and its related meetings as Observers;
5. Call upon the United Nations High Commissioner for Human Rights to provide further assistance to the National Institutions in order to facilitate their participation in the World Conference Against Racism;
6. Urge National Institutions to develop national strategies and programmes of action on the fight against racism, racial discrimination, xenophobia and related intolerance;
7. Address NGO participation.

VII. On the African Commission and African Court for Human and People's Rights:

1. Urge African institutions to apply for the status of affiliated membership from the African Commission on Human and People's Rights;
2. Exhort the African States to ratify the protocol aiming at the creation of the African Court for Human and People's Rights;

3. Welcome the mandate of the Commission to work to establish and strengthen independent and effective National Institutions in partnership with the Office of the High Commissioner for Human Rights and other international and regional partners;

VIII. On Impunity:

Encourage African States to sanction the perpetrators of human rights abuses by ensuring that they are brought to justice.

IX. On Human Rights Defenders:

1. Welcome the effort of the international community aimed at protecting Human Rights Defenders which paved the way for the adoption of the Declaration of the Rights and responsibilities of individuals/groups and organs of civil society, the promotion and protection of human rights and the appointment of a Special Rapporteur on the matter;

2. Urge African Governments to take appropriate measures in order to facilitate the work of Human Rights Defenders.

X. Follow-up to the Conference:

1. Urges the Chairman of the African Co-ordination Committee to forward the recommendations of this Conference to the United Nations High Commissioner for Human Rights; the African Commission on Human and People's Rights; and the International Co-ordinating Committee;

2. Urges the Chairman to submit a report on steps undertaken and suggesting solutions to the fourth Conference of the African National Institutions;

3. The fourth Conference will be held in Kampala, Uganda.

Adopted at Lome, this 16th Day of March 2001.

The Conference Participants